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37 C.F.R. § 1.8

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Shelley P.M. Fussey

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Philip E. Thorpe Sophia Ran and  
Rolf A. Brekken (As Amended)

Serial No.: 09/351,149

Filed: July 12, 1999

For: CANCER TREATMENT KITS  
COMPRISING THERAPEUTIC  
CONJUGATES THAT BIND TO  
AMINOPHOSPHOLIPIDS

Group Art Unit: 1617

Examiner: Sharareh, S.

Atty. Dkt. No.: 3999.002383

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record in the present case. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R. §§ 1.97(g),(h), this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

A fourth, Non-Final Official Action has been received in the present application. However, this Supplemental Information Disclosure Statement is being filed prior to the mailing of a final Official Action, notice of allowance or an Action that closes prosecution, and is timely filed in accordance with 37 C.F.R. § 1.97(c) without a fee in light of the following information.

In accordance with 37 C.F.R. § 1.97(e)(2), it is hereby certified that the documents listed in the accompanying Form PTO-1449 were not cited in a communication from a foreign patent office in a counterpart foreign application. The listed documents were cited in an Official Action on the merits in a co-pending application of one of the present inventors, Serial No. 09/766,537 (Attorney Docket No. 3999.002700), mailed from the P.T.O. on October 22, 2002, less than three months before the filing of the present statement, and evidently could not have been submitted before receipt.

No fees should be due in connection with the filing of this Supplemental Information Disclosure Statement. However, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Examiner should contact the undersigned representative to discuss deduction from Williams, Morgan & Amerson Deposit Account No. 50-0786/3999.002383.



Respectfully submitted,

A handwritten signature in black ink, appearing to read "Shelley P.M. Fussey".

Shelley P.M. Fussey, Ph.D.  
Reg. No. 39,458  
Agent for Applicant

WILLIAMS, MORGAN & AMERSON, P.C.  
7676 Hillmont, Suite 250  
Houston, Texas, 77040  
(713) 934-4079

Date: October 31, 2002